

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

ANTHONY MAYS, et al.,

Plaintiffs,

v.

THOMAS J. DART, Sheriff of Cook
County,

Defendant.

Case No. 20-CV-2134

Hon. Matthew F. Kennelly,
in his capacity as Emergency
Judge

Hon. Robert W. Gettleman,
District Court Judge

Hon. M. David Weisman,
Magistrate Judge

RULE 3(C) DOCKETING STATEMENT

1. District Court Jurisdiction

On April 3, 2020, plaintiffs filed a class action Complaint that alleged violations of the Eighth and Fourteenth Amendments. (Dkt. 1) On the same day, plaintiffs filed an Emergency Motion for Temporary Restraining Order or Preliminary Injunction that sought class-wide relief for all pre-trial detainees housed in the Cook County Jail. (Dkt. 2) On April 9, 2020, after the motion was fully briefed, the District Court granted plaintiffs motion in part by ordering the Sheriff to take certain actions to provide sanitation supplies, soap, and PPE to detainees, as well as social distancing during the intake process, and denied all other relief.

On April 14, 2020, plaintiffs' filed a Renewed Motion for a Preliminary Injunction and Limited, Expedited Discovery. (Dkt. 55) On April 27, 2020, the District Court entered its Memorandum Opinion and Order which converted the Temporary Restraining Order to a preliminary injunction and granted additional preliminary

injunctive relief regarding social distancing but denied plaintiffs' other requested relief. (Dkt. 73) In its decision, the District Court conditionally certified plaintiffs' class under Fed. R. Civ. P. 23(b)(2). The District Court had jurisdiction pursuant to 28 U.S.C. § 1331.

2. Appellate Court Jurisdiction

Defendant Sheriff Dart filed his notice of appeal on May 11, 2020, 14 days after the District Court entered its order granting conditional class certification and preliminary injunctive relief. This Court has jurisdiction pursuant to 28 U.S.C. § 1292(a)(1), because the order of April 27, 2020 is an order granting an injunction. This Court also has jurisdiction over the April 27, 2020 conditional class certification under Fed. R. Civ. P. 23(f). *Matz v. Household Int'l Tax Reduction Inv. Plan*, 687 F.3d 824, 825 (7th Cir. 2012).

3. Prior or Related appeals.

There are no prior or related appeals.

By: /s/ Gretchen Harris Sperry
One of the attorneys for Defendant
Thomas J. Dart, Sheriff of Cook
County

Gretchen Harris Sperry*
Robert T. Shannon
James M. Lydon
Adam R. Vaught
Lari Dierks
HINSHAW & CULBERTSON LLP
151 N. Franklin Street, Suite 2500
Chicago, Illinois 60601
Tel. 312-704-3000

CERTIFICATE OF SERVICE

The undersigned certifies that on May 11, 2020, I electronically filed the forgoing **DEFENDANT'S DOCKETING STATEMENT** with the Clerk of the U.S. District Court, using the Court's CM/ECF system, which will accomplish service electronically on all counsel of record.

/s/ Gretchen Harris Sperry